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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-02-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.1987 of 2022

And

WMP No.2144 of 2022

S.Yagu

..Petitioner

vs.

1. Union of India,
Represented by the Home Secretary,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
2. The Repatriate Co-operative Finance and
Development Bank (REPCO Bank),
Represented by its Managing Director,
REPCO Tower, No.33, North Usman Road,
T.Nagar,
Chennai - 600 017.
3. The Returning Officer,
Delegates Election to the 13th RGB,
The Repatriate Co-operative Finance and
Development Bank (REPCO Bank),
REPCO Tower, No.33, North Usman Road,
T.Nagar, Chennai - 600 017.
4. The Election Officer,
REPCO Bank 'Delegate' Election,
Coimbatore Constituency,
No.33, North Usman Road,
T.Nagar, Chennai - 600 017.

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration, declaring the rejection of nomination made by the petitioner for the post of 'Delegate' in the respondent-Bank as illegal with the consequential direction, directing the respondents to accept the nomination of the petitioner for the election of 'Delegate' in the respondent-Bank.



For Petitioner : Mr.K.Thilageswaran

For Respondents-2 to4: Mr.A.Ilangovan

O R D E R

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The relief sought for in the present writ petition is to declare the rejection of nomination made by the petitioner for the post of 'Delegate' in the respondent-Bank as illegal with the consequential direction, directing the respondents to accept the nomination of the petitioner for the election of 'Delegate' in the respondent-Bank.

2.As per the Election Notice, publication of Voters List by Returning Officer was made on 10.01.2022 and the publication of Final Voters List by Returning Officer was already completed on 13.01.2022. As per the Election Schedule on 22.01.2022, the nomination papers were allowed to be filed.

3.On 24.01.2022, the nomination papers were scrutinised and valid nominations were published. On 25.01.2022, withdrawal of nominations by candidates were permitted. The publication of Final List of Contesting Candidates were made on 25.01.2022 and the Polling Date is fixed as 06.02.2022.

4.Already Final List of Contesting Candidates were published and under these circumstances, the election under progress, cannot be interfered with. Therefore, the petitioner has to raise the dispute under the provisions of The Multi-State Cooperative Societies Act, for the purpose of redressal of his grievances, including challenging the election or the candidates elected or otherwise.

5.Therefore, the petitioner is at liberty to approach the Registrar of Cooperative Societies by raising a dispute under the provisions of The Multi-State Cooperative Societies Act, for the purpose of redressal of his grievances.

6.With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn



To

1. The Home Secretary,
Union of India,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
2. The Managing Director,
Repatriate Co-operative Finance and
Development Bank (REPCO Bank),
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No.33, North Usman Road,
T.Nagar, Chennai - 600 017.

+1cc to Mr.A.Ilangovan, Advocate, S.R.No.7097

+1cc to Mr.K.Thilageswaeen, Advocate, S.R.No.7067

WP 1987 of 2022

GPL(CO)
RGA(16/02/2022)